

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RYAN BERRIS,

Plaintiff,

-against-

SUNG-FUNG CHOI, et al.,

Defendants.

23-CV-4305 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

For the reasons stated on the record at the February 7, 2024 hearing in this matter:

- The motion to dismiss filed on behalf of Sung-Fung (“Norman”) Choi and De Tomaso Automobili Holdings is GRANTED IN PART AND DENIED IN PART. Dkt. 40.
  - The motion is granted with respect to the tortious interference and corporate waste claims (the seventh, ninth, and tenth causes of action).
  - The motion is denied with respect to all other claims. Plaintiff may take jurisdictional discovery for the defamation claim.
- Genesis Unicorn Capital’s motion to dismiss is GRANTED. Dkt. 36.
- Hin Weng (“Samuel”) Lui’s motion to dismiss is GRANTED. Dkt. 56.

Plaintiff is granted leave to amend the complaint. Any amendment must be filed by February 21, 2024.

By Friday, February 9, 2024, the parties should submit an amended case management plan with revised dates.

The parties should order a copy of the transcript of today’s hearing and have it filed on the docket.

The Clerk of Court is directed to terminate the motions at Dkts. 36, 40, and 56.

SO ORDERED.

Dated: February 8, 2024  
New York, New York



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ARUN SUBRAMANIAN  
United States District Judge